

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONALD PARKER and VERA
PARKER,

Plaintiffs,

v.

HSBC MORTGAGE SERVICES,
INC.,

Defendant.

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CIVIL ACTION NO.
1:13-CV-00682-RWS

ORDER

This case was submitted to the Court for review of Plaintiffs' request for preliminary injunctive relief. After reviewing the record, the Court finds Plaintiffs' request for relief is due to be **DENIED**.

Before a court will grant a motion for a preliminary injunction, the moving party must show:

(1) a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered unless the injunction issues; (3) that the threatened injury to the movant outweighs whatever damage the proposed injunction may cause the opposing party, and (4) that if issued the injunction would not be adverse to the public interest.

All Care Nursing Serv., Inc. v. Bethesda Mem'l Hosp., Inc., 887 F.2d 1535, 1537 (11th Cir. 1989) (citation omitted). "Of these four requisites, the first

factor, establishing a substantial likelihood of success on the merits, is most important” ABC Charters, Inc. v. Bronson, 591 F. Supp. 2d 1272, 1294 (S.D. Fla. 2008).


This case arises out of the non-judicial foreclosure proceedings on real property located at 7059 Galloway Point, Riverdale, Georgia, 30296 (“the Property”). (Def.’s Not. of Removal, Ex. A (Security Deed), Dkt [1-1] at 4 of 25.) Plaintiffs appear to request preliminary injunctive relief in their Complaint. (Compl., Dkt. [1-4] at WHEREFORE paragraph.)

The Court recognizes that Plaintiffs are proceeding pro se. Thus, their complaint is more leniently construed and “held to less stringent standards than formal pleadings drafted by lawyers.” Erickson v. Pardus, 551 U.S. 89, 94 (2007) (citations and internal quotation marks omitted). This leniency, however, does not excuse a plaintiff from making the showing required to obtain injunctive relief. The Court notes that Plaintiffs have requested a preliminary injunction. However, Plaintiffs have not set forth any basis for the Court to grant such relief. In any event, having carefully reviewed the Complaint, the Court finds that Plaintiffs have failed to allege sufficient facts to demonstrate a substantial likelihood of success on the merits of any of their

claims. Since Plaintiffs have failed on the most important of the requisites to a grant of a preliminary injunction, the Court finds that Plaintiffs are not entitled to preliminary injunctive relief.

Plaintiffs' request for preliminary injunctive relief having been **DENIED**, the Clerk is **DIRECTED** to refer the case to a Magistrate Judge, pursuant to Standing Order Number 08-01.

SO ORDERED, this 11th day of July, 2013.


RICHARD W. STORY
United States District Judge